

Senate File 126 - Introduced

SENATE FILE _____
BY DANIELSON

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the administration of the state hygienic
2 laboratory, including attachment of the laboratory to the
3 state university of Iowa, and providing for the duties and
4 authority of a board of directors of the state hygienic
5 laboratory, including the imposition of fees.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

7 TLSB 1785XS 82

8 kh/gg/14

PAG LIN

1 1 Section 1. Section 263.7, Code 2007, is amended to read as
1 2 follows:

1 3 263.7 STATE HYGIENIC LABORATORY == INVESTIGATIONS == BOARD
1 4 == DIRECTOR.

~~1 5 1. The state hygienic laboratory shall be a permanent part
1 6 of attached to the state university of Iowa for routine
1 7 administrative and support services, and shall be governed by
1 8 its own board of directors as provided in this section. It
1 9 shall make or cause to be made microbiological and chemical
1 10 examinations and other necessary investigations by both
1 11 laboratory and field work in the determination of the causes
1 12 of disease, shall suggest methods of overcoming and preventing
1 13 the recurrence of the disease, and shall evaluate
1 14 environmental effects and scientific needs, whenever requested
1 15 to do so by any state agency, state institution, or local
1 16 board of health when the investigation or evaluation is
1 17 necessary in the interest of environmental quality and public
1 18 health and for the purpose of preventing epidemics of disease.~~

~~1 19 2. The state hygienic laboratory shall be governed by a
1 20 board of directors, which shall consist of eleven members who
1 21 shall include the following:~~

~~1 22 a. The president of the university of Iowa, or the
1 23 president's designee.~~

~~1 24 b. The secretary of agriculture, or the secretary's
1 25 designee.~~

~~1 26 c. The directors of the department of natural resources
1 27 and the department of public health, or the directors'
1 28 designees.~~

~~1 29 d. The director of the attorney general's consumer
1 30 protection division, or the director's designee.~~

~~1 31 e. Members appointed by the governor to three-year
1 32 staggered terms, who shall be selected from the following
1 33 areas and specialties:~~

~~1 34 (1) A representative of local health departments who is
1 35 not an employee of the department of public health.~~

~~2 1 (2) A physician representing clinical laboratories.~~

~~2 2 (3) A member representing private environmental testing
2 3 laboratories.~~

~~2 4 (4) A member representing occupational health
2 5 laboratories.~~

~~2 6 (5) Two additional members, one of whom shall be a county
2 7 medical examiner.~~

~~2 8 3. No member appointed under subsection 2, paragraph "e",
2 9 shall be an employee of the state hygienic laboratory. The
2 10 director of the laboratory shall serve as a nonvoting member
2 11 of the board. Membership of the board shall comply with the
2 12 requirements of sections 69.16 and 69.16A. The terms for
2 13 members appointed by the governor shall commence at 12:01 a.m.
2 14 on May 1 in the year of appointment and expire at midnight on
2 15 April 30 in the year of expiration. If a vacancy occurs, a
2 16 successor shall be appointed in the same manner and subject to
2 17 the same qualifications as the original appointment to serve~~

2 18 the unexpired term. A quorum of the board shall consist of
2 19 six members. Members shall elect a chairperson from the
2 20 voting members of the board. The members of the board shall
2 21 be reimbursed for actual and necessary expenses incurred while
2 22 engaged in their official duties. Members of the board
2 23 appointed pursuant to subsection 2, paragraph "e", may also be
2 24 eligible to receive compensation as provided in section 7E.6.
2 25 All expense moneys paid to the members shall be paid from
2 26 funds appropriated to the laboratory.

2 27 4. The state board of regents, upon the recommendation of
2 28 the president of the university of Iowa, with the approval of
2 29 the state hygienic laboratory board, shall appoint the
2 30 director of the laboratory and such other members of its
2 31 professional staff as are required for the administration of
2 32 the laboratory. The director may employ technical and other
2 33 staff necessary for the operation of the laboratory.

2 34 5. The state hygienic laboratory board shall meet at least
2 35 quarterly and may promulgate rules under chapter 17A, set
3 1 priorities, and make final approval of laboratory resources so
3 2 that the laboratory can act in response to planned objectives
3 3 and program priorities. The state hygienic laboratory board
3 4 shall develop a budget and transmit to the department of
3 5 management estimates of expenditure requirements for all
3 6 functions and services of the laboratory.

3 7 6. The state hygienic laboratory board may impose a fee
3 8 established by rule for each test conducted by the laboratory
3 9 to recover the costs of conducting the test. Any test
3 10 conducted for a political subdivision is exempt from the fee
3 11 unless the test is outside the state public health care
3 12 mission or is required under Title XIV of the federal Public
3 13 Health Service Act, commonly known as the "Safe Drinking Water
3 14 Act", 42 U.S.C. } 300f, et seq., as amended by the Safe
3 15 Drinking Water Amendments of 1996, Pub. L. No. 104-182, as
3 16 determined by the state hygienic laboratory board. The
3 17 laboratory may charge state agencies through contractual
3 18 arrangements for the actual services rendered.

3 19 EXPLANATION

3 20 This bill attaches the state hygienic laboratory to the
3 21 state university of Iowa for routine administrative purposes,
3 22 but provides that the laboratory will be governed by a state
3 23 hygienic laboratory board of directors. Currently, the
3 24 laboratory is established as a permanent part of the
3 25 university. The bill provides for the membership and duties
3 26 of the board, including the development of a budget and the
3 27 imposition of fees for tests conducted by the laboratory.

3 28 The board consists of 11 members, including the president of
3 29 the university, the secretary of agriculture, the directors of
3 30 the departments of natural resources and public health, and
3 31 the director of the attorney general's consumer protection
3 32 division, or the designees of these persons; as well as
3 33 members appointed by the governor to represent local health
3 34 departments, clinical laboratories, private environmental
3 35 testing laboratories, occupational health laboratories, and
4 1 county medical examiners.

4 2 The board has rulemaking authority under Code chapter 17A,
4 3 and is charged with developing a budget and transmitting to
4 4 the department of management estimates of expenditure
4 5 requirements for all functions and services of the laboratory.
4 6 The board may impose a fee established by rule for laboratory
4 7 tests, but any test conducted for a political subdivision is
4 8 exempt from the fee unless the test is outside the state
4 9 public health care mission or is required under the federal
4 10 Safe Drinking Water Act. The laboratory may charge state
4 11 agencies through contractual arrangements for actual services
4 12 rendered.

4 13 The director of the laboratory is to be appointed by the
4 14 state board of regents, upon the recommendation of the
4 15 university president and the approval of the laboratory board.

4 16 LSB 1785XS 82

4 17 kh:nh/gg/14